

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

KEITH BRASWELL, *et al.*,)
Plaintiffs,)
v.) CASE NO. 2:07-cv-833-MEF
RICHARD ALLEN, *et al.*,) (WO
Defendants.)

ORDER

This cause is before the Court on its own motion. Plaintiffs filed this action with this Court on September 14, 2007, against Defendants Richard Allen and Charles Hadley. Since that time, Defendant Allen has been served and filed his answer on October 25, 2007. As of the date of this Order, the Court has no evidence before it that Defendant Hadley has been served.

Pursuant to Federal Rule of Civil Procedure 4(m), which requires service to be made upon a defendant within 120 days after the filing of the Complaint, it is the present intention of this Court to dismiss all claims against Charles Hadley without prejudice on **March 31, 2008**, unless Plaintiffs show either (1) that Hadley has been served, or (2) good cause for their failure to comply with Federal Rule of Civil Procedure 4 before that date.

DONE this the 4th day of March, 2008.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE